

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 19.09.2017

CORAM:

THE HON'BLE MR.JUSTICE A.SELVAM

AND

THE HON'BLE MR.JUSTICE P.KALAIYARASAN

H.C.P.No.1571 of 2017

K.Thangam ... Petitioner

vs.

1.The Commissioner of Police,
Coimbatore.

2.The Inspector of Police,
Singanallur Police Station,
Coimbatore.

3.Dr.Chakravarthi ... Respondents

Petition filed under Article 226 of the Constitution of India praying to issue a writ of habeas corpus to direct the respondent police to produce the body and person of the detenu, the petitioner's granddaughters, namely Samritha and Sasmitha, aged one year, before this Court and set them at liberty.

For Petitioner : Mr.M.Balaji

For Respondents:Mr.V.M.R.Rajentren,Addl.P.P.
for R1 & R2

Mr.V.Purushothaman for R3

ORDER

(Order of the Court was made by A.SELVAM,J.)

This Habeas Corpus Petition has been filed under Article 226 of the Constitution of India, praying to direct the respondents to produce the body and person of the detenu, the petitioner's granddaughters, namely, Samritha and Sasmitha, aged one year, before this Court and set them at liberty.

2.The petitioner is not present; whereas, her counsel is present.

3.The third respondent, viz., father of the detenu, has produced them.

4.Considering the fact that the third respondent is the father of the detenu, the custody of the detenu with the father cannot be treated as illegal. Under such circumstances, the Court is inclined to pass the following order:

In fine, the petitioner, if so desires, is at liberty to file proper petition before proper forum for getting custody.

5.With the above observation, this habeas corpus petition is disposed of.

Sd/-

Assistant Registrar(CS-II)

//True Copy//

Sub Assistant Registrar

msk

To

1.The Commissioner of Police,
Coimbatore.

2.The Inspector of Police,
Singanallur Police Station,
Coimbatore.

3.The Public Prosecutor,
High Court, Madras.

+ 1 cc to MR. M. Balaji, Advocate Sr.68138

H.C.P.No.1571 of 2017

SAI(CO)

EU(6/10/2017)

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